

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK AND BADGER LAKE RESERVOIR, constructed under Permit R-773, tributaries of the WHITE RIVER, for IRRIGATION AND SUPPLEMENTAL IRRIGATION of 4.0 ACRES.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water used for irrigation is limited to a diversion of not to exceed 0.20 cubic foot per second from Badger Creek for irrigation and 0.08 cubic foot per second from Badger Lake reservoir for supplemental irrigation.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed one acre foot per acre during any 30 day period up to July 1 of each year and not to exceed 3.0 acre feet per acre during any irrigation season; provided, the rate of flow shall not exceed ONE-FORTIETH of a second foot per acre up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH of a second foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

The points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 10 EAST, W.M.;
400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

NE 1/4 SW 1/4, SECTION 29, TOWNSHIP 3 SOUTH, RANGE 11 EAST, W.M.;
1290 FEET SOUTH AND 550 FEET WEST FROM THE C 1/4 CORNER, SECTION
29.

The use shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

A description of the place of use to which this right is appurtenant
is as follows:

LOT 4 (SW 1/4 SW 1/4) 4.0 ACRES
SECTION 7
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved
by an order of the Water Resources Director entered MARCH 25, 1998,
approving Transfer Application T-4313, and together with Certificate
82086, supersedes Certificate 46532, State Record of Water Right
Certificates.

The right to the use of the water for the above purpose is restricted to
beneficial use on the lands or place of use described. The use
confirmed herein may be made only at times when sufficient water is
available to satisfy all prior rights, including rights for maintaining
instream flows.

WITNESS the signature of the Water Resources Director, affixed

OCT 06 2006



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82347

T-4313.JWG